

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN E. DU PONT,
Petitioner,

v.

PAUL STOWITZKY, ET AL.,
Respondents.

: CIVIL ACTION
: NO. 06-0147

ORDER

FILED

SEP 18 2008

MICHAEL E. KUNZ, Clerk
By Dep. Clerk

AND NOW, this 17th day of September, 2008, upon careful and independent consideration of the Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Linda K. Caracappa and Petitioner's Objections to the Report and Recommendation, **IT IS HEREBY ORDERED and DECREED** that:

1. The Report and Recommendation is **APPROVED and ADOPTED**;
2. The petition for Writ of *Habeas* is **DENIED** with prejudice; and
3. There is no probable cause to issue a certificate of appealability.

IT IS FURTHER ORDERED that the Clerk of the Court shall mark the above-captioned case as **CLOSED** for statistical purposes.

BY THE COURT:

Petrese B. Tucker
Honorable Petrese B. Tucker, U.S.D.J.